

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

**Case No. 21-CR-382-JFH**

**VINCENT DAVIN WALLEN and  
TORI DANEA NUNLEY,**

*Defendants.*

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**UNOPPOSED MOTION TO DISMISS**

**COMES NOW** the Plaintiff, United States of America, by and through United States Attorney Christopher J. Wilson and Jordan W. Howanitz, Assistant United States Attorney, and the Defendants by and through their attorneys, Clint James and Sunethra Muralidhara, and respectfully submits this Unopposed Motion to Dismiss the Indictment filed in this case on December 9, 2021, without prejudice to refiling in the future. The Defendants waive any objection to the filing of a future indictment in this matter. Defense counsel Clint James and Sunethra Muralidhara have been contacted about this motion and have no objection to its filing. In support of its Motion, the United States submits the following:

1. On October 27, 2021, Defendant, Tori Danea Nunley, was convicted in Oklahoma state court on the same conduct that is subject of her federal indictment. *See State of Oklahoma v. Tori Danea Nunley*, District Court of Pittsburg County, Case No. CF-2020-562. In her state-court case, Nunley plead guilty to Conspiracy and Malicious Injury to Property, and she was sentenced to 7 years of probation and ordered to pay \$35,000 in restitution. At the time the federal indictment was filed, the government was unaware of the State conviction.

2. The Defendant, Vincent Davin Wallen, is a Tribal Member of the Choctaw Nation of Oklahoma and the Choctaw Nation and this case will be referred to the Choctaw Nation for any future proceedings.

WHEREFORE, premises considered, the United States of America respectfully requests the Court dismiss the Indictment filed against the defendants and for all other relief which the Court deems just and proper.

Respectfully submitted,

CHRISTOPHER J. WILSON  
United States Attorney

s/ Jordan W. Howanitz  
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**CERTIFICATE OF SERVICE**

I, hereby certify that on March 23, 2022, I electronically transmitted the foregoing to the Clerk of Court using the ECF registrants:

Clint James, Counsel for Defendant, Vincent Wallen.  
Sunethra Muralidhara, Counsel for Defendant, Tori Nunley

s/ Jordan W. Howanitz  
JORDAN W. HOWANITZ  
Assistant United States Attorney